

STAT	TO :	D/OLL DD/OLL	DATE OF REQUEST
	FROM :		15 July 1987
SUBJECT :		SUSPENSE DATE	
Drug-Free Workplace			
NOTES			
Attached is the exempting language of Executive order 12564, pertaining to establishing a drug-free Federal workplace.			
COORDINATED WITH (list names as well as offices)			
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ACTION REQUIRED BY D/OLL			

Sept. 15 / Administration of Ronald Reagan, 1986

National Campaign Against Drug Abuse

Remarks on Signing an Executive Order and Messages to the Congress Transmitting Proposed Legislation. September 15, 1986

The President. Well, last evening Nancy and I invited all Americans to join in a national crusade against drugs. And this morning I'm signing an Executive order and transmitting legislation to Congress as part of the Federal Government's crusade against drugs. The Executive order that I'm signing will implement new procedures that will work to ensure a drug-free Federal workplace. And the legislation, the Drug-Free America Act, addresses the need to get drugs out of the workplace, schools, and our neighborhoods; it helps the States with drug treatment; and it cracks down on drug traffickers.

This is the Federal Government's way of "just saying no" to drugs. We're getting tough on drugs, and we mean business. To those who are thinking of using drugs, we say: Stop. And to those who are pushing drugs, we say: Beware. I hope all Americans will join in this important effort and make America drug free.

And now first, I will sign the Executive order. And the two transmittal letters.

[At this point, the President signed the Executive order and messages to Congress.]

It is done.

Reporter. Mr. President, many of your conservative supporters say that in this Daniloff affair, you've given in to the Russians—that you blinked first. How do you respond to that, sir?

The President. No one on our side has blinked, and I didn't blink. I wasn't going to take any question on either subject. When you asked that—I heard some of the shows Sunday, and I don't know where they get that idea. No, we have not blinked. He is a hostage, as George Shultz said. The individual that we're holding is an accused spy, and there can be no trade between those two; nor does Mr. Daniloff believe that there should be such a trade. But, no, we haven't blinked. From the very first I have felt that it was absolutely essential that we get Daniloff out of their hands and out of

that cell which he occupied with what was obviously a Soviet aide—and 4-hours-a-day interrogation.

Q. But do you think now that you can bring it to a successful conclusion and get Daniloff free in an honorable way?

The President. That's our goal, and that's what we're going to—

Q. Has there been any progress in those negotiations in the last few days that you can report?

The President. I can't comment on that—I really can't.

Q. Do you have a cold?

The President. What?

Q. Do you have a cold? Are you suffering from a cold?

The President. I think there was something in the breeze up at Camp David this weekend that—I'm subject to certain allergies and pollen, and I brought this back from Camp David with me. It isn't a cold; no, it's an allergy.

Q. How do you feel?

The President. Other than that, I'm feeling fine.

Q. You're not taking any drugs for the—[inaudible]—antihistamines? [Laughter]

The President. No, Sam [Sam Donaldson, ABC News]. I irrigate my nasal passages with salt water.

Q. Just say no. [Laughter]

Note: The President spoke at 11:04 a.m. in the Oval Office at the White House.

Drug-Free Federal Workplace

Executive Order 12564. September 15, 1986

I, Ronald Reagan, President of the United States of America, find that:

Drug use is having serious adverse effects upon a significant proportion of the national work force and results in billions of dollars of lost productivity each year;

The Federal government, as an employer, is concerned with the well-being of its employees, the successful accomplishment of

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considered in processing any adverse action against the employee or for other administrative purposes. Preliminary test results may not be used in an administrative proceeding unless they are confirmed by a second analysis of the same sample or unless the employee confirms the accuracy of the initial test by admitting the use of illegal drugs.

(f) The determination of an agency that an employee uses illegal drugs can be made on the basis of any appropriate evidence, including direct observation, a criminal conviction, administrative inquiry, or the results of an authorized testing program. Positive drug test results may be rebutted by other evidence that an employee has not used illegal drugs.

(g) Any action to discipline an employee who is using illegal drugs (including removal from the service, if appropriate) shall be taken in compliance with otherwise applicable procedures, including the Civil Service Reform Act.

(h) Drug testing shall not be conducted pursuant to this Order for the purpose of gathering evidence for use in criminal proceedings. Agencies are not required to report to the Attorney General for investigation or prosecution any information, allegation, or evidence relating to violations of Title 21 of the United States Code received as a result of the operation of drug testing programs established pursuant to this Order.

Sec. 6. Coordination of Agency Programs.

(a) The Director of the Office of Personnel Management shall:

(1) Issue government-wide guidance to agencies on the implementation of the terms of this Order;

(2) Ensure that appropriate coverage for drug abuse is maintained for employees and their families under the Federal Employees Health Benefits Program;

(3) Develop a model Employee Assistance Program for Federal agencies and assist the agencies in putting programs in place;

(4) In consultation with the Secretary of Health and Human Services, develop and improve training programs for Federal supervisors and managers on illegal drug use; and

(5) In cooperation with the Secretary of Health and Human Services and heads of

Executive agencies, mount an intensive drug awareness campaign throughout the Federal work force.

(b) The Attorney General shall render legal advice regarding the implementation of this Order and shall be consulted with regard to all guidelines, regulations, and policies proposed to be adopted pursuant to this Order.

~~(c) Nothing in this Order shall be deemed to limit the authorities of the Director of Central Intelligence under the National Security Act of 1947, as amended, or the statutory authorities of the National Security Agency or the Defense Intelligence Agency. Implementation of this Order within the Intelligence Community, as defined in Executive Order No. 12333, shall be subject to the approval of the head of the affected agency.~~

Sec. 7. Definitions.

(a) This Order applies to all agencies of the Executive Branch.

(b) For purposes of this Order, the term "agency" means an Executive agency, as defined in 5 U.S.C. 105; the Uniformed Services, as defined in 5 U.S.C. 2101(3) (but excluding the armed forces as defined by 5 U.S.C. 2101(2)); or any other employing unit or authority of the Federal government, except the United States Postal Service, the Postal Rate Commission, and employing units or authorities in the Judicial and Legislative Branches.

(c) For purposes of this Order, the term "illegal drugs" means a controlled substance included in Schedule I or II, as defined by section 802(6) of Title 21 of the United States Code, the possession of which is unlawful under chapter 13 of that Title. The term "illegal drugs" does not mean the use of a controlled substance pursuant to a valid prescription or other uses authorized by law.

(d) For purposes of this Order, the term "employee in a sensitive position" refers to:

(1) An employee in a position that an agency head designates Special Sensitive, Critical-Sensitive, or Noncritical-Sensitive under Chapter 731 of the Federal Personnel Manual or an employee in a position that an agency head designates as sensitive in accordance with Executive Order No. 10450, as amended;